

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 00-3635

Jean A. Gardner,

Appellant,

v.

Anthony J. Principi, Secretary,
Department of Veterans Affairs,¹

Appellee.

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Appeal from the United States
District Court for the
Eastern District of Missouri.

[UNPUBLISHED]

Submitted: May 22, 2001
Filed: June 13, 2001

Before BOWMAN, BEAM, and LOKEN, Circuit Judges.

PER CURIAM.

Jean A. Gardner, a former employee of the Department of Veterans Affairs (VA), alleged that the VA discriminated and took adverse employment action against her on various occasions between 1987 and 1999. The District Court² granted

¹Anthony J. Principi has been appointed to serve as Secretary of Veterans Affairs, and is substituted as appellee pursuant to Federal Rule of Appellate Procedure 43(c)(2).

²The Honorable Jean C. Hamilton, Chief Judge, United States District Court for the Eastern District of Missouri.

summary judgment for the VA in Gardner's action alleging age, race, and sex discrimination and retaliation. Gardner appeals.

Having carefully reviewed the record and the parties' briefs, we affirm for the reasons stated by the District Court, and because Gardner did not exhaust her administrative remedies by timely pursuing her administrative complaint. See 29 C.F.R. §§ 1614.105-.106 (administrative requirements); Briley v. Carlin, 172 F.3d 567, 571 (8th Cir. 1999) (holding that "an employee cannot bring a discrimination claim without first exhausting his or her administrative remedies"); McAlister v. Sec'y of Dep't of Health and Human Servs., 900 F.2d 157, 158 (8th Cir. 1990) ("[A]dministrative remedies must be exhausted before a federal employee may bring an employment discrimination claim against federal employer.").

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.